
HOUSE BILL No. 1057

DIGEST OF INTRODUCED BILL

Citations Affected: IC 13-11-2-208; IC 13-21-5-16.

Synopsis: Use of solid waste management district revenues. Prohibits a solid waste management district in which a solid waste landfill is located, the use of the district solid waste management fund for any purpose that benefits a municipality that: (1) is located in the district; (2) collects solid waste in the municipality; and (3) disposes of the collected solid waste at a location outside the district.

Effective: July 1, 2001.

Mangus

January 8, 2001, read first time and referred to Committee on Environmental Affairs.

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Introduced

First Regular Session 112th General Assembly (2001)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

HOUSE BILL No. 1057

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 13-11-2-208, AS AMENDED BY P.L.138-2000,
2 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2001]: Sec. 208. "Solid waste landfill", for purposes of
4 IC 13-20-7.5, IC 13-20-9, **IC 13-21-5**, and IC 13-22-9, means a solid
5 waste disposal facility at which solid waste is deposited on or beneath
6 the surface of the ground as an intended place of final location.
7 SECTION 2. IC 13-21-5-16 IS AMENDED TO READ AS
8 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 16. (a) A district plan
9 must consider, in all circumstances, contracts with private persons.
10 (b) A district plan or amended plan must, where reasonably
11 necessary to effectuate the efficient use of existing permitted final
12 disposal facilities, take account of permitted final disposal facilities in
13 the district that are in operation at the time the district plan is adopted.
14 A district plan or amended plan must incorporate all recycling
15 activities in progress in the district at the time the district plan is
16 adopted or amended.
17 (c) A district plan may not impose operational requirements on a

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1 privately owned or operated facility that differ from operational
2 requirements imposed on a public facility solely because the facility is
3 privately owned or operated.

4 **(d) In a district in which a solid waste landfill is located, the**
5 **district plan may not permit the use of the district solid waste**
6 **management fund established under IC 13-21-13-2 for any purpose**
7 **that benefits a municipality that:**

8 **(1) is located in the district;**

9 **(2) collects solid waste in the municipality; and**

10 **(3) disposes of the collected solid waste at a location outside**
11 **the district.**

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